

GARCIA-BLANCO et al
Serial No.: 09/465,802
August 15, 2003

REMARKS/ARGUMENTS

Reconsideration of this application and entry of the foregoing amendments are respectfully requested.

New claims 9 and 10 find support throughout the application, including, for example, at pages 13-15 and in the claims as originally filed.

Supplementing the comments offered previously in response to the rejection under 35 USC 112, first paragraph, Applicants point out that Drexler et al, Zellner et al, and Embleton et al relate to tumor types other than prostate tumors and thus are irrelevant to the present invention.

Further, and in response to the Examiner's comment that:

it is not clear why Applicant has concluded that expression of the FGF-R2 IIIc isoform is in any way sufficient or even necessary for determining the likelihood of metastasis of a prostate tumor,

Applicants point out that they have not contended that expression of the FGF-R2 IIIc isoform is the "cause" of a prostate tumor becoming metastatic. Rather, and as stated in the application, progression of human prostate cancer from an androgen sensitive to an androgen insensitive tumor is "accompanied" by a loss of FGF-R2 IIIb and expression of the FGF-R2 IIIc isoform. That is, this alternative splicing provides a marker useful in determining the likelihood of metastasis.

Again, the Examiner is urged to reconsider her position and withdraw the rejection.

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Submitted concurrently herewith but under separate cover is an Information Disclosure Statement. The Examiner is requested to initial and return the PTO-1449 Form accompanying that Information Disclosure Statement.

This application is submitted to be in condition for allowance and a Notice to that effect is requested.

Respectfully submitted,

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